



10 FEB 2006

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In re Application of	:	
John McCOY, et al.	:	DECISION ON REQUEST
Application No.: 10/500,442	:	TO WITHDRAW AS
PCT No.: PCT/US03/23925	:	ATTORNEY OF RECORD
Int. Filing Date: 31 March 2003	:	
Priority Date:	:	
For: INTERNALLY COLORED BLOCK	:	
AND PROCESS	:	

This is in response to the "REQUEST FOR WITHDRAWAL" and the request for status of the above-captioned application filed 20 June 2005. No fee is required.

DISCUSSION

The criteria for effecting a proper withdrawal of attorney is spelled out in Section 402.06 of the Manual of Patent Examining Procedure (M.P.E.P.) which reads, in part, as follows:

"In the event that a notice of withdrawal is filed by an attorney or agent of record... appropriate procedure will be followed pertaining to the withdrawal. The **withdrawal is effective when approved** rather than when received.

To expedite the handling of requests for permission to withdraw as attorney, under 37 CFR 1.36, Form PTO/SB/83 may be used. Because the Office does not recognize law firms, each attorney of record must sign the notice of withdrawal, or the notice of withdrawal must contain a clear indication of one attorney signing on behalf of another.

The Commissioner of Patents and Trademarks usually requires that there be at least 30 days between *approval* of withdrawal and the later of the expiration date of a time response period or the expiration date of the period which can be obtained by a

petition and fee for extension of time under 37 CFR 1.136(a). This is so that the applicant will have sufficient time to obtain other representation or take other action. If a period has been set for response and the period may be extended without a showing of cause pursuant to 37 CFR 1.136(a) by filing a petition for extension of time and fee, the practitioner will not be required to seek such extension of time for withdrawal to be approved. In such a situation, however, withdrawal will not be approved unless at least 30 days would remain between the date of approval and the last date on which such a petition for extension of time and fee could properly be filed."

Since all of the criteria delineated in Section 402.06 of the M.P.E.P. have been complied with and since there are no outstanding responses due, the request to withdraw as attorney of record is GRANTED and is effective as of the mail date of this communication.

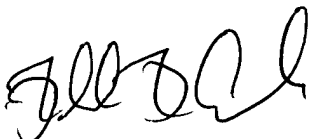
All future communications from this Office will be forwarded to John McCoy at the address indicated in the Oath submitted 29 June 2004.

With regard to the status of the national stage application, please be notified that the application is presently with Examiner Yvonne Horton in Tech Center 3635 (tel: 571-272-6845).

DECISION

In view of the above discussion, counsel's Request for Withdrawal is GRANTED.

A copy of this decision will be transmitted to applicant John McCoy.



Richard Cole
PCT Legal Examiner
PCT Legal Office

NNH/RC:hn

cc: John McCoy
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